



Memorandum

TO: PLANNING COMMISSION

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: September 3, 2002

COUNCIL DISTRICT: 4

SUBJECT: ANNUAL REVIEW OF A DEVELOPMENT AGREEMENT WITH COYOTE VALLEY RESEARCH PARK LLC REGARDING PROPERTY LOCATED ON BOTH SIDES OF SANTA TERESA BOULEVARD BETWEEN BAILEY AVENUE AND TULARE HILL

BACKGROUND

A Development Agreement was approved by the City Council on October 24, 2000 with Coyote Valley Research Park, LLC (CVRP) in conjunction with a Planned Development Rezoning (file PDCSH99-06-053) to facilitate vested development rights for a 6,600,000 square foot office, research & development complex. The agreement established a timeframe for implementation of the Planned Development Zoning, Permits, Subdivision Maps, General Plan and Master Development Plan for a period of up to 20 years if certain performance triggers are met.

The Development Agreement vests certain development rights for the developer for the CVRP property in North Coyote Valley in exchange for their agreement to construct substantial public and private improvements and to construct a minimum of one million square feet within five years of the adoption of the Development Agreement. A second trigger requires a minimum of three million square feet within twelve years of adoption of the ordinance approving the Development Agreement provided US 101 has been widened to six (6) lanes as provided for in the Measure A/B program and that the Water Pollution Control Plant has sufficient capacity.

This Development Agreement, as required by City Ordinance, requires the Planning Commission to adopt a resolution, if applicable, upon a determination subsequent to a Compliance Review Hearing that all terms and conditions of the agreement are in full compliance.

ANALYSIS

There has not been any development activity since approval of this project, however the developer has approximately three more years to complete the first phase of the project under the terms of this agreement. The related discretionary approvals for the first phase have already been issued by the City.

RECOMMENDATION

Planning staff recommends that the Planning Commission adopt a resolution finding the developer in full compliance with the terms and conditions of this Development Agreement.

STEPHEN M. HAASE, DIRECTOR
Planning, Building and Code Enforcement

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